

REMARKS

Claims 1-10 are all the claims pending in the application.

In this Office Action, the Examiner has essentially continued the rejections which were made in the previous action. Particularly, claims 1, 3 and 5 have been rejected for double patenting in view of Applicant's prior patent (USP 6,201,335), and claims 7 and 9 have been rejected for double patenting in view of the '335 patent combined with York (USP 6,426,581).¹

The text of the rejection appears to indicate that the Examiner does not completely understand the current claims. Essentially, the Examiner states that it is obvious that the magnets of the magnet assembly should be configured as trapezoidal plates because the claw poles are similarly trapezoidally shaped. Therefore, the Examiner reasons that the thickness of the magnets will naturally be increased toward the base side of the magnetic poles.

Applicants believe that the Examiner may be having difficulty in understanding the current claims due to the fact that relational terms like "width" and "thickness" are used differently in the present application versus the prior art. In the current application and its claims, the "thickness" corresponds to the "depth" direction of the magnet. For ease of understanding, Applicants enclose a sketch of a typical magnet, in which the width direction is identified by "w" and the thickness direction is identified by "t". As can be clearly seen in the sketch, the thickness of the magnet decreases toward the distal end, and increases toward the root direction.

The '335 patent uses the term "thickness" and "thicker" when referring to the width direction of the magnets in the reference. See, for example, column 14, lines 20-28. It is clear from this description when taken with Figure 16 that the "thickness" referred to in the patent is the vertical direction in Figure 16. Ordinarily, by usual convention, one would refer to this direction as the "width" direction of the magnet.

¹ Although the Examiner has based his rejection on double patenting grounds, the '335 patent qualifies as prior art under §102. Accordingly, Applicants are compelled to treat the rejections on their merits.

Similarly, the '335 patent uses the term "width" to describe what would ordinarily be referred to as the "thickness". This is evident from column 8, lines 1-9, where the shape of the magnet is described and it is stated that the "width is almost fixed".

In view of this difference in defining the directions regarded as the "thickness" direction and the "width" direction, the Examiner apparently believes that current claim 1 is simply claiming the trapezoidal shape of the magnets.

In view of the above, Applicants have clarified claim 1 by amendment, to specify that both the width and the thickness of the magnets gradually increase toward the base side or root side of the claw pole. In this way, no matter how one wishes to define "width" and "thickness", it is apparent that the '335 patent does not disclose such a feature, and in fact teaches away from such a configuration (noting the "width is fixed" disclosure above).

Since the York '581 patent has only been applied for its teaching of a subsidiary feature regarding the magnet holding members, Applicants believe that the above-described amendments to claim 1 serve to distinguish the claimed invention from any rejection which the Examiner could create using the '335 and York patents.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.116
USAN 10/663,775

Q77539

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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